

Expéditeur : le BUREAU INTERNATIONAL

PCT

NOTIFICATION DE TRANSMISSION DE COPIES
DE LA TRADUCTION DU RAPPORT D'EXAMEN
PRÉLIMINAIRE INTERNATIONAL
SUR LA BREVETABILITÉ (CHAPITRE I OU CHAPITRE II
DU TRAITE DE COOPERATION EN MATIERE DE BREVETS)

(règles 44bis.3.c) et 72.2 du PCT)

Destinataire :

LEMOINE, Robert
Cabinet Malemont
42, avenue du Président Wilson
F-75116 Paris
FRANCE

Date d'expédition (jour/mois/année)
11 janvier 2007 (11.01.2007)

Référence du dossier du déposant ou du mandataire
7388E

NOTIFICATION IMPORTANTE

Demande internationale n°
PCT/FR2005/000424

Date du dépôt international (jour/mois/année)
23 février 2005 (23.02.2005)

Déposant
DEHONDT, Guy

1. Transmission de la traduction au déposant.

- ☐ Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre I).
- ☒ Le Bureau international transmet ci-joint copie de la traduction en langue anglaise du rapport préliminaire international sur la brevetabilité (chapitre II).

2. Transmission d'une copie de la traduction aux offices désignés ou élus.

Le Bureau international notifie au déposant qu'une copie de cette traduction a été transmise aux offices désignés ou élus suivants qui exigent la traduction en question:

KR

Les offices désignés ou élus suivants ayant renoncé à l'exigence selon laquelle la transmission doit être effectuée à cette date recevront une copie de cette traduction du Bureau international seulement à leur demande:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Rappel concernant la traduction dans la ou l'une des langues officielles de l'office ou des offices élus.

Il est rappelé au déposant que, lorsqu'une traduction de la demande internationale doit être remise à un office élu, cette traduction doit comporter la traduction de toute annexe du rapport préliminaire international sur la brevetabilité (chapitre II).

Il appartient au déposant d'établir la traduction en question et de la remettre directement à chaque office élu intéressé dans le délai applicable (règle 74.1). Voir le volume II du *Guide du déposant du PCT* pour de plus amples renseignements.

Bureau international de l'OMPI
34, chemin des Colombettes
1211 Genève 20, Suisse

Fonctionnaire autorisé

Beate Giffo-Schmitt

n° de télécopieur +41 22 338 82 70

n° de télécopieur +41 22 338 82 70

TRANSLATION**PATENT COOPERATION TREATY****PCT****INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 7388E	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2005/000424	International filing date (day/month/year) 23.02.2005	Priority date (day/month/year) 23.02.2004
International Patent Classification (IPC) or national classification and IPC A23N7/04		
Applicant DEHONDT, Guy		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising:	
a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>3</u> sheets, as follows:	
<input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).	
<input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.	
b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))	
_____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2005/000424

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1-9 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1-13 received by this Authority on 04.10.2005 with letter

nos.* _____ received by this Authority on of 28.09.2005

☒ the drawings:

sheets 1/3-3/3 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☒ the claims, nos. 14

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2005/000424

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-13	YES
	Claims	NO
Inventive step (IS)	Claims 1-13	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-13	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

1. Reference is made to the following document:
D1: FR-A-1322981

2. INDEPENDENT CLAIM 1

D1, which is considered to be the most relevant prior art, describes a method from which the subject matter of independent claim 1 differs in that the plant head is cut off before the plants are windrowed.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of improving the plant conversion process.

The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)), since no prior art document discloses such a feature.

Claims 2 to 5 are dependent on claim 1 and thus also comply, as such, with the PCT requirements of novelty and inventive step.

2. INDEPENDENT CLAIM 6

D1, which is considered to be the most relevant prior art, describes a machine from which the subject matter of claim 6 differs in that the stems to be crushed pass in parallel between two fluted cylinders (5, 6). The

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2005/000424

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

prior art (D1) describes crushing the stems and stripping the waste therefrom using cylinders/drums that are transverse to the stems.

The subject matter of claim 6 is therefore novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of improving the plant conversion process.

The solution to this problem, as proposed in claim 6 of the present application, is considered to involve an inventive step (PCT Article 33(3)), since no prior art document discloses such a feature.